No. 96

MICHIGAN SENATE

DAILY CALENDAR

THURSDAY, OCTOBER 27, 2005 10:00 a.m.

10:00 a.m.			
	MOTIONS		MESSAGES FROM THE GOVERNOR
SB	246 Sen. Emerson School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for. Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a. Motion to discharge Committee on Appropriations pending.	SB	274 Sen. Clarke Appropriations; history, arts, and libraries; department of history, arts, and libraries; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Thursday, September 29. For veto message, see Senate Journal No. 87, page
SB	318 Sen. Basham Labor; hours and wages; minimum wage; increase. Amends sec. 4 of 1964 PA 154 (MCL 408.384). Motion to discharge Committee on Commerce and Labor pending.	SB	1762. Vetoed line items pending. 7 281 Sen. Barcia Appropriations; transportation; state transportation department; provide for fiscal year 2005-2006. Creates appropriation act.
SB	MESSAGES FROM THE GOVERNOR 272 Sen. Switalski Appropriations; general government; general government; provide for fiscal year 2005-2006.		Approved by Governor, with line items vetoed, Friday, September 30. For veto message, see Senate Journal No. 87, page 1762. Vetoed line items pending.
	Creates appropriation act. Approved by Governor, with line items vetoed, Wednesday, September 28. For veto message, see Senate Journal No. 87, page 1760. Vetoed line items pending.	SB	MESSAGES FROM THE HOUSE 74 Sen. Goschka Crimes; kidnapping; reporting a false "Amber alert"; prohibit and provide penalties.
SB	Appropriations; human services; department of human services; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Wednesday, September 28. For veto message, see Senate Journal No. 87, page 1760. Vetoed line items pending.		Amends title of 2002 PA 712 (MCL 28.751 - 28.753) & adds sec. 4. I.E. House, October 6, 2005. Returned from House with amendment, Tuesday, October 11; laid over under the rules. For House amendment, see Senate Journal No. 89, page 1794. Committee recommended I.E.
SB	264 Sen. Barcia Appropriations; agriculture; department of agriculture; provide for fiscal year 2005-2006.	SB	134 Sen. Cassis Criminal procedure; sentencing guidelines; sentencing guidelines for crime of intentionally falsely reporting the abduction of a child to authorities; provide for.

Creates appropriation act.

Wednesday, September 28.

Vetoed line items pending.

Approved by Governor, with line items vetoed,

For veto message, see Senate Journal No. 87, page

Amends sec. 11b, ch. XVII of 1927 PA 175 (MCL

Returned from House with House substitute (H-1),

Tuesday, October 25; laid over under the rules.

777.11b).

I.E. House, October 6, 2005.

Committee recommended I.E.

THIRD READING OF BILLS

____ 10 _____

SB 102 Sen. Cropsey

Corrections; state facilities; Ionia maximum correctional facility; rename to Jack Welborn correctional facility.

Amends 1953 PA 232 (MCL 791.201 - 791.283) by adding sec. 20d.

Reported by Committee on Judiciary.

Committee recommended I.E.

— 11 —

SB 337 Sen. Allen

Single business tax; credit; tax credit for historical buildings; create and limit issuance of.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35c.

Reported by Committee on Commerce and Labor. Senate substitute (S-2).

Committee recommended I.E.

____ 12 _____

HB 4108 Rep. Mayes

Torts; liability; immunity for farmers who use tank locks or dye additives to prevent anhydrous ammonia theft; provide for.

Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding secs. 2975 & 2976.

I.E. House, June 9, 2005.

House substitute (H-3).

Reported by Committee on Agriculture, Forestry and Tourism.

Senate substitute (S-1).

Committee recommended I.E.

____ 13 _____

HB 4317 Rep. Lipsey

Counties; other; county road commission; provide option to expand membership or eliminate.

Amends sec. 12 of 1973 PA 139 (MCL 45.562).

I.E. House, June 29, 2005.

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

____ 14 _____

SB 764 Sen. Allen

Veterans; other; "Purple Heart Monument" to honor citizens of Michigan receiving the award; create.

Creates new act.

Reported by Committee on Senior Citizens and Veterans Affairs.

Committee recommended I.E.

— 15 ——

SB 747 Sen. Gilbert

Environmental protection; landfills; research, development, and demonstration projects; allow disposal of liquid waste

Amends sec. 11514 of 1994 PA 451 (MCL 324.11514).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

THIRD READING OF BILLS

HB 5148 Rep. Pavlov

Environmental protection; landfills; research, development, and demonstration projects; authorize.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 11511b.

I.E. House, October 5, 2005.

House substitute (H-2).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1)*.

Committee recommended I.E.

HB 5149 Rep. Acciavatti

Environmental protection; sewage; definition of "receiving facility"; revise and require legal description of landfill boundaries.

Amends secs. 11518 & 11701 of 1994 PA 451 (MCL 324.11518 & 324.11701).

I.E. House, October 5, 2005.

House substitute (H-4).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

HB 4729 Rep. Tobocman

Property; land sales; municipal employees to purchase land in cities inventory; allow.

Amends sec. 4 of 1968 PA 317 (MCL 15.324).

I.E. House, June 15, 2005.

House substitute (H-1).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

_____ 19 _____

SB 654 Sen. Toy

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of unlawful purchase of public property by public servant; enact.

Amends sec. 11a, ch. XVII of 1927 PA 175 (MCL 777.11a).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

GENERAL ORDERS

____ 20 _____

SB 233 Sen. Bishop

Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.

Referred to Committee of the Whole pursuant to MCL 24.245a.

GENERAL ORDERS

____ 21 _____

SB 196 Sen. Jelinek

Legislature; legislators; legislator to substitute teach in public schools without pay; allow.

Amends secs. 1230, 1230a & 1233 of 1976 PA 451 (MCL 380.1230 et seq.).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

_____ 22 ____

SB 448 Sen. Cropsey

Courts; judges; salary for judges; revise, establish concurrent jurisdiction for probate judge and district judge, and provide other amendments.

Amends secs. 226, 303d, 410, 810, 859, 871, 1105, 1701, 8322, 8344, 8507 & 8611 of 1961 PA 236 (MCL 600.226 et seq.); adds secs. 411 & 8808 & repeals secs. 557, 557a, 557b, 8555 & 9947 of 1961 PA 236 (MCL 600.557 et seq.).

Reported by Committee on Judiciary.

For Senate amendment, see Senate Journal No. 48, page 708.

Committee recommended I.E.

_____ 23 _____

HB 4481 Rep. Gaffney

Elections; voting procedures; certain restrictions on requests for registration or absentee ballots; revise.

Amends sec. 759a of 1954 PA 116 (MCL 168.759a) & repeals sec. 504 of 1954 PA 116 (MCL 168.504).

I.E. House, April 19, 2005.

House substitute (H-1).

Reported by Committee on Government Operations. Senate substitute (S-1).

Committee recommended I.E.

____ 24 ____

SB 43 Sen. Thomas

Income tax; credit; certain physicians with medical care practices in medically underserved areas; provide credit.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 272.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

_____ 25 _____

SB 472 Sen. Kuipers

Energy; other; Michigan superconducting super collider commission; eliminate.

Amends sec. 11 of 1987 PA 26 (MCL 3.821).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

SB 475 Sen. Hardiman

Higher education; research; state research fund feasibility review panel; eliminate.

Amends sec. 2 of 1982 PA 175 (MCL 125.1952).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

GENERAL ORDERS

____ 27 _____

SB 476 Sen. Sanborn

State; funds; Michigan strategic fund, research center fund advisory committee; eliminate.

Amends sec. 77 of 1984 PA 270 (MCL 125.2077).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

_____ 28 ____

HB 4555 Rep. Pearce

Transportation; funds; certain portion of transportation funds earmarked for nonmotorized trails; provide for.

Amends sec. 10k of 1951 PA 51 (MCL 247.660k).

I.E. House, June 9, 2005.

House substitute (H-2).

Reported by Committee on Commerce and Labor.

Senate substitute (S-2).

Committee recommended I.E.

_____ 29 _____

SJR E Sen. Stamas

Land use; condemnation; taking of private property by eminent domain for the primary benefit of private entities; prohibit.

Amends sec. 54, art. X of the state constitution.

Reported by Committee on Transportation.

Senate substitute (S-2).

____ 30 ____

SB 693 Sen. Brown

Land use; condemnation; use of eminent domain to transfer private property to private entities; prohibit.

Amends sec. 3 of 1911 PA 149 (MCL 213.23).

Reported by Committee on Transportation.

Senate substitute (S-3).

Committee recommended I.E.

3

HB 4325 Rep. Mortimer

Occupations; physicians; performance of needle electromyography and the performance and interpretation of nerve conduction studies; clarify who is authorized to perform.

Amends secs. 17001 & 17501 of 1978 PA 368 (MCL 333.17001 & 333.17501) & adds secs. 17018 & 17518.

I.E. House, April 20, 2005.

House substitute (H-1).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

____ 32 _____

HB 4718 Rep. Gleason

Highways; name; portion of M-54 in Genesee county; rename the "Marine Corps League Memorial Highway", and a portion of M-54 in part of Genesee county rename "UAW Sitdown Strike Memorial Highway".

Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 78.

I.E. House, September 15, 2005.

House substitute (H-1).

Reported by Committee on Transportation.

Senate substitute (S-2).

Committee recommended I.E.

____ 33 _____

SB 120 Sen. Johnson

Criminal procedure; evidence; prior acts of domestic violence; allow to be admissible as evidence.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 27a to ch. VIII.

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

_____ 34 _____

SB 263 Sen. Hammerstrom

Crime victims; statements; hearsay rule; exempt certain statements of domestic violence victims.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding secs. 27a & 27b to ch. VIII.

Reported by Committee on Judiciary.

Senate substitute (S-4).

Committee recommended I.E.

____ 35 _____

SB 712 Sen. Brown

Crimes; gambling; allowance of gambling on certain card games at senior citizen housing facility; revise to include senior center that is not a housing facility.

Amends sec. 303a of 1931 PA 328 (MCL 750.303a).

Reported by Committee on Senior Citizens and Veterans Affairs.

Committee recommended I.E.

____ 36 _____

HB 5237 Rep. Nofs

Communications; telecommunications; general amendments; provide for.

Amends secs. 101, 102, 103, 201, 202, 203, 203a, 204, 205, 209, 210, 211, 213, 214, 301, 302, 303, 304, 305, 306, 307, 309, 309a, 310, 312, 314a, 315, 316a, 317, 318, 320, 321, 322, 351, 352, 353, 355, 357, 358, 359, 401, 502, 503, 504, 505 & 604 of 1991 PA 179 (MCL 484.2101 et seq.); adds sec. 252 & repeals (See bill).

I.E. House, October 20, 2005.

House substitute (H-3).

Rules suspended, placed on General Orders, Tuesday, October 25.

GENERAL ORDERS

HB 4726 Rep. Mortimer

Education; school districts; distribution of information to parents on meningitis; require.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1177a.

I.E. House, September 15, 2005.

House substitute (H-2).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

RESOLUTIONS

____ 38 ____

SCR 28 Sen. Johnson

A concurrent resolution to increase the total project cost of the Department of Corrections Riverside Correctional Facility Power Plant Automation project.

Reported by Committee on Appropriations.

For text of resolution, see Senate Journal No. 78, page 1289.

Adoption pending.

COMMITTEE REPORTS

_____ 39 _____

SB 778 Sen. Birkholz

Environmental protection; other; environmental indicator report; eliminate sunset.

Amends sec. 2521 of 1994 PA 451 (MCL 324.2521).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

HB 4860 Rep. Elsenheimer

Environmental protection; water pollution; unauthorized discharges into a municipal sewer system; exempt municipalities from liability.

Amends sec. 3109 of 1994 PA 451 (MCL 324.3109).

I.E. House, June 23, 2005.

House substitute (H-4).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETINGS

Agriculture, Forestry and Tourism - Thursday, October 27, 9:00 a.m., Room 110, Farnum Building (373-1635)

Appropriations -

Subcommittee -

Higher Education - Wednesday, November 2, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Banking and Financial Institutions - Thursday, October 27, 12:00 noon, Room 100, Farnum Building (373-2417)

SCHEDULED MEETINGS

Michigan Capitol Committee - Tuesdays, November 8 (CAN-CELED) and November 29, 3:00 p.m., Room 426, Capitol Building (373-0289)

Senate Fiscal Agency Board of Governors - Thursday, October 27, 9:00 a.m., Room S-101, Capitol Building (373-0797)

Senior Citizens and Veterans Affairs - Wednesday, November 2, 1:00 p.m., Room 100, Farnum Building (373-1707)

BILLS IN CONFERENCE Report Agreed To **Conferees** Bill No. **Brief Title** House Senate House Senate HB 4834 Financial institutions; other; regulation and Robertson Sanborn licensing of deferred presentment service Gilbert Palsrok providers and transactions; provide for. Jacobs **McConico**